

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) Case No. 4:14CR00187 JAR
)
PAMELA TABATT, et al.)
)
Defendants.)

RESTRAINING ORDER

This matter having come before the Court upon the Government's Motion for Entry of Restraining Order, pursuant to Title 18, United States Code, Section 982, which incorporates provisions of Title 21, United States Code, Section 853, and it appearing to the satisfaction of the Court that:

1. A Federal Grand Jury has returned an Indictment wherein that included an allegation that certain property would, in the event of conviction, be subject to forfeiture pursuant to Title 21, United States Code, Sections 853 and 970, Title 18, United States Code, Section 982(a)(1), and Title 28, United States Code, Section 2461(c), including but not limited to the following property:

- (y) Real Property at 2043 Lick Creek Drive, Wentzville, Missouri;
- (z) Real Property at 237 Split Rail Drive, Wentzville, Missouri;
- (aa) Real Property at 1801 Thoele Road, St. Peters, Missouri;
- (bb) Real Property at 114 Brookfield Boulevard, Wentzville, Missouri;
- (cc) Real Property at 1029 Highway 47 East, Troy, Missouri;

- (dd) Real Property at 13 Cove Trail, New Florence, Missouri;
- (ee) Real Property at Rural Route 2, Box 35A, Carrollton, Illinois;
- (ff) Real Property at 25333 Cheyenne Lane, Warrenton, Missouri;
- (gg) Real Property directly south and bordering the Real Property and residence of 25333 Cheyenne Lane, Warrenton, Missouri; and
- (hh) Real Property at 241 McClay Road, Winfield, Missouri.

2. The Government has moved for an Order, pursuant to Title 18, United States Code, Section 982, which incorporates provisions of Title 21, United States Code, Section 853(e), to preserve the availability of certain potentially forfeitable assets, more described fully below, and to prevent the alienation, encumbering or wasting of those assets;

3. Reasonable cause has been shown for the entry of a restraining order to preserve the property described below based upon the Indictment and the Motion and Memorandum submitted by the Government;

It is, therefore, the order of this Court that this restraining order issue, to wit:

a. That any beneficiaries, designees, or trustees, their agents, servants, employees, attorneys, family members, or others having any interest or control over the property described below, shall not, without approval of this Court following notice to the Government and an opportunity for the Government to be heard, do any of the following with regard to the property described below:

Alienate, dissipate, transfer, sell, assign, lease, pledge, encumber, or dispose of the property in any manner, directly or indirectly;

Cause the property to be alienated, dissipated, transferred, sold, assigned, leased, encumbered, or disposed of in any manner;

Take, or cause to be taken, any action which could have the effect of concealing or moving the property from the jurisdiction of this Court, or that would have the effect of depreciating, damaging or in any way diminishing the value of the property.

b. It is further Ordered that if the property described below is transferred or disposed of by any means, the party or parties responsible for its disposal or transfer shall account to the Court for the disposition and location of the property, which may include the relinquishing of all proceeds obtained from any sale, auction, or other disposition.

c. It is further Ordered that, Defendants shall be served with a copy of this Order.

d. It is further Ordered that the Defendants will be permitted, in the alternative to the other provisions of this Order, to execute a performance bond found satisfactory to this Court, pursuant to Title 21, United States Code, Section 853(e)(1),

e. The following are the assets and property affected by this Order:

i. Real Property at 2043 Lick Creek Drive, Wentzville, Missouri, more particularly described as follows:

Lot 32 of Peine Ridge Plat One, as per plat thereof recorded in Plat Book 36 page 274 of the St. Charles County Records,

Parcel ID: 4-0009-8408-00-0032.0000000;

ii. Real Property at 237 Split Rail Drive, Wentzville, Missouri; more particularly described as follows:

Lot 69 of Summer Brook Plat Seven, formerly known as White Fence Estates Plat Six, as per plat thereof recorded in Plat Book 37 Page 151 of the St. Charles County Records;

Parcel ID: 4-0010-8570-00-0069.0000000;

iii. Real Property at 1801 Thoele Road, St. Peters, Missouri; more particularly described as follows:

Lot 8-B of "Resubdivision of Tract "B" Park Charles South Plat One" according to the Plat thereof recorded in Plat Book 20, Page 72 of the St. Charles County Records;

Parcel ID: 3-0009-5238-00-0008.B000000;

iv. Real Property at 114 Brookfield Boulevard, Wentzville, Missouri; more particularly described as follows:

Lot 8 of Keeneland Trails Plat One, according to the plat thereof recorded in Plat Book 44 Page 45 of the St. Charles County Records;

Parcel ID: 4-0014-A221-00-0008.0000000;

v. Real Property at 1029 Highway 47 East, Troy, Missouri; more particularly described as follows:

A 3.00 acre tract of land located in Lincoln County within East 1/2 of Section 21, Township 49 North, Range 1 East of the 5th P.M. and being more particularly described as follows: Commencing at the center of said Section 21; thence South 01 degree 23' 30" East 2628.56 feet to a point; thence South 89 degrees 21' 50" East 635.91 feet to a point; thence North 01 degree 23' 30" West 480.93 feet to a point; thence North 88 degrees 36' 20" East 173.10 feet to the point of beginning of the tract herein described; thence North 01 degree 20'10" West 107.13 feet to a point; thence North 88 degrees 39' 50" East 485.00 feet to a point; thence South 01 degree 20' 10" East 49.99 feet to a point; thence along a curve to the left having a radius of 1185.59 feet, an included angle of 06 degrees 27' 10", and a chord which bears South 33 degrees 25' 10" West, 133.45 feet, an arc distance of 133.52 feet to a point; thence South 30 degrees 11' 40" West, 205.04 feet to a point; thence along a curve to the right having a radius of 532.89 feet, an included angle of 10 degrees 46' 00" and a chord which bears east 39 degrees 34' 40" West 99.99 feet, an arc distance of 100.14 feet to a point; thence north 49 degrees 10' 40" West 325.96 feet to a point; thence North 01 degree 20' 10" West 88.44 feet to the point of beginning;

Parcel ID: 14-50-21-000-000-012.008;

vi. Real Property at 13 Cove Trail, New Florence, Missouri; more particularly described as follows:

A tract of land being part of the Northeast Quarter of Section 24, Township 47 North, Range 5 West, Montgomery County, Missouri and being more particularly described as follows: Commencing at an iron pipe marking the center of Section 24; thence South 87 degrees 45' 11" East along the East-West Center Section line 1120.92 feet to a point; thence departing from said center Section line North 01 degrees 26' 43" East 707.31 feet to the point of beginning of tract herein described; thence North 81 degrees 26' 54" West 152.81 feet to the centerline of a 30 foot road easement; thence following said centerline on a curve to the left, having a tangent bearing North 03 degrees 54' 46" East, a radius of 195.00 feet and an arc length of 105.42 feet; thence North 27 degrees 03' 41" West 35.51 feet; thence along a curve to the left having a radius of 360.00 feet, a central angle of 08 degrees 36' 56" and an arc length of 54.13 feet; thence departing from said centerline North 54 degrees 19' 23" East 210.31 feet to a point; thence South 21 degrees 43' 47" East 60.70 feet; thence South 04 degrees 53' 14" East 269.80 feet to the point of beginning of tract herein described;

Parcel ID: 14-60-24-000-000-059.000;

vii. Real Property at Rural Route 2, Box 35A, Carrollton, Illinois; more particularly described as follows:

Parcel 1:

Part of the Southeast Quarter of Section 35, Township 10 North, Range 12 West of the Third Principal Meridian, Greene County, Illinois, being more particularly described as follows:

Beginning at the Northeast corner of the Northwest Quarter of said Southeast Quarter; thence North 90 degrees 00 minutes 00 seconds East along the North line of said Southeast Quarter, a distance of 559.35 feet to the centerline of Sand Branch; thence South 12 degrees 13 minutes 48 seconds West along said centerline, a distance of 7.54 feet; thence South 31 degrees 31 minutes 17 seconds West along said centerline, a distance of 62.93 feet; thence South 47 degrees 38 minutes 46 seconds West along said centerline,

a distance of 85.01 feet; thence South 17 degrees 17 minutes 54 seconds East along said centerline, a distance of 146.35 feet; thence South 77 degrees 05 minutes 34 seconds East along said centerline, a distance of 264.38 feet; thence South 64 degrees 23 minutes 42 seconds East along said centerline, a distance of 63.77 feet; thence South 07 degrees 54 minutes 46 seconds East along said centerline, a distance of 93.30 feet; thence South 12 degrees 55 minutes 34 seconds West along said centerline, a distance of 225.76 feet; thence South 22 degrees 45 minutes 00 seconds East along said centerline, a distance of 156.19 feet to the centerline of Links Branch; thence South 67 degrees 17 minutes 37 seconds West along the centerline of said Links Branch, a distance of 59.72 feet; thence South 84 degrees 57 minutes 37 seconds West along said centerline, a distance of 69.24 feet; thence South 43 degrees 00 minutes 34 seconds West along said centerline, a distance of 96.43 feet; thence South 53 degrees 03 minutes 51 seconds West along said centerline, a distance of 70.32 feet; thence South 75 degrees 07 minutes 07 seconds West along said centerline, a distance of 185.79 feet; thence South 89 degrees 34 minutes 41 seconds West along said centerline, a distance of 174.09 feet; thence North 65 degrees 57 minutes 11 seconds West along said centerline, a distance of 153.50 feet; thence North 70 degrees 12 minutes 50 seconds West along said centerline, a distance of 340.79 feet; thence North 14 degrees 55 minutes 41 seconds East, a distance of 842.55 feet to the point of beginning, and

Parcel 2:

A 16 foot wide ingress and egress easement being centered on the following described line:

Commencing at the Northwest corner of said Southeast Quarter; thence South 00 degrees 53 minutes 56 seconds East along the West line of said Southeast Quarter a distance of 256.44 feet to the point of beginning. From said point of beginning; thence South 61 degrees 06 minutes 05 seconds East, a distance of 119.10 feet; thence South 71 degrees 02 minutes 33 seconds East, a distance of 390.81 feet; thence South 49 degrees 24 minutes 49 seconds East, a distance of 103.37 feet; thence South 57 degrees 53 minutes 16 seconds East, a distance of 181.47 feet; thence South 72 degrees 47 minutes 06 seconds East, a distance of 453.44 feet to the point of terminus; and

Parcel 3:

An Easement for ingress and egress granted by Dean Evans and Rachel Evans in document recorded January 25, 2010 as Book 589 and Page 92, more particularly described as follows:

A 16 feet wide ingress / egress easement being centered on the following described line:

Commencing at the Northwest corner of the Northeast Quarter of said Southwest Quarter; thence North 89 degrees 58 minutes 53 seconds East along the North line of the Northeast Quarter of said Southwest Quarter, a distance of 327.83 feet; thence South 00 degrees 01 minute 07 seconds East, a distance of 15.00 feet to the point of beginning.

From said point of beginning; thence North 89 degrees 58 minutes 53 seconds East, a distance of 821.70 feet; thence South 35 degrees 39 minutes 53 seconds East, a distance of 272.32 feet; thence South 61 degrees 06 minutes 05 seconds East, a distance of 41.68 feet to the East line of the Northeast Quarter of said Southwest Quarter and the point of terminus,

Parcel No: 03-91-35-11-2;

viii. Real Property at 25333 Cheyenne Lane, Warrenton, Missouri; more particularly described as follows:

A tract of land being part of the Southeast Quarter of the Southeast Quarter of Section 2, Township 46 North, Range 3 West, Warren County, Missouri, and being described as follows:

Commencing at an old rock pile at the Southeast Corner of Section 2; thence along the East line of Section 2, North 01°- 42' East 103.59 feet; thence along the centerline of Clark's Hollow, South 58°-37' West 51.16 feet; thence North 83°- 41' West 684.20 feet; thence South 66°- 59' West 202.24 feet; thence South 46°-44' West 90.92 feet; thence along the South line of the Southeast Quarter of the Southeast Quarter, North 89°- 22' West 444.24 feet to an old iron rod at the place of beginning of the said tract of land; thence along the West line of the Southeast Quarter of the Southeast Quarter, North 01°- 46' East 415.27 feet; thence leaving the said West line, North 47° - 17' East 312.99 feet; thence North 81°- 08' East 841.87 feet; thence South 56°- 38' East 74.08 feet to a point in a centerline of a 50 foot wide road and utility easement; thence along the said centerline, South 36°- 06' West 98.22

feet; thence leaving the said centerline, South 27°- 38' West 270.84 feet to an iron rod; thence South 66°- 39' West 1048.78 feet to the lace of beginning;

Parcel No: 09-02.2-0-00-001.006.000;

ix. Real Property directly south and bordering the Real Property and residence of 25333 Cheyenne Lane, Warrenton, Missouri; more particularly described as follows:

A tract of land being part of the Southeast Quarter of the Southeast Quarter of Section 2, Township 46 North, Range 3 West, Warren County, Missouri, and being described as follows:

Commencing at an old rock pile at the Southeast Comer of Section 2; thence along the East line of Section 2, North 01°- 42' East 103.59 feet; thence along the centerline of Clark's Hollow, South 58°- 37' West 51.16 feet; thence North 83°- 41' West 98.31 feet to the place of beginning of the said tract of land; thence North 83°• 41' West 585.89 feet thence South 66°- 59' West 202.24 feet; thence South 46°- 44' West 90.92 feet; thence along the South line of the Southeast Quarter of the Southeast Quarter, North 89°-22' West 444.24 feet to an old iron rod; thence North 66°-39' East 1048.78 feet to an iron rod; thence North 27°-38' East 270.84 feet to a point in the centerline of a 50 foot wide road and utility easement; thence leaving the said centerline, South 30°-01' East 159.73 feet to an old iron rod; thence South 15°- 45' East 443.37 feet to the place of beginning and containing 6.00 acres, more or less,

TOGETHER WITH road and utility easements as more fully described in Book 1301 page 920 of the Warren County Records.

Parcel No: 09-02.2-0-00-001.013.000;

x. Real Property at 241 McClay Road, Winfield, Missouri;

Parcel 1:

A 3.153 acre tract, being part of a tract of land conveyed by Deed Book 403 page 192 of the Lincoln County Records, situated in the Southwest 1/4 and Northwest 1/4 of Section 9, Township 49 North, Range 2 East of the Fifth Principal Meridian, Lincoln County, Missouri and being more particularly described as follows:

Commencing at an old Stone marking the Southwest 1/16 corner of Section 9, Township 49 North, Range 2 East; thence North 01 degrees 17 minutes 33 seconds West, with the 1/16 Section line, 1288.90 feet to an iron rod marking the beginning point of the tract of land herein described; thence North 01 degrees 17 minutes 33 seconds West, continuing with the 1/16 Section line, 48.84 feet to an old stone marking the West center-center 1/16 corner of Section 9, Township 49 North, Range 2 East, thence North 01 degrees 17 minutes 33 seconds West 244.53 feet to the centerline of the creek; thence South 52 degrees 27 minutes 59 seconds East, along the centerline of the creek, 496.34 feet thence South 74 degrees 21 minutes 09 seconds West, departing the centerline of the creek 224.47 feet to an iron rod; thence South 27 degrees 34 minutes 12 seconds East 536.16 feet to the centerline of county road 651a.k.a McClay Road; thence South 63 degrees 36 minutes 45 seconds West, along the centerline of said county road, 106.71 feet; thence North 28 degrees 37 minutes 57 seconds West, departing said centerline, 674.87 feet to the beginning point, and

Parcel 2:

A 3.000 acre tract, being part of a tract of land conveyed by Deed Book 403 page 192 of the Lincoln County Records, situated in the Southwest 1/4 of Section 9, Township 49 North, Range 2 East of the Fifth principal Meridian, Lincoln County, Missouri and being more particularly described as follows:

Commencing at an old stone marking the Southwest 1/16 corner of Section 9, Township 49 North Range 2 East; thence North 01 degrees 17 minutes 33 seconds West, with the 1/16 section line, 479.85 feet; thence North 88 degrees 19 minutes 11 seconds East, departing the 1/16 section line, 93.08 feet to the centerline of county road 651 a.k.a McClay Road; thence with said centerline the following: North 31 degrees 31 minutes 54 seconds East 126.30 feet; North 53 degrees 59 minutes 50 seconds East, 180.54 feet; North 63 degrees 36 minutes 45 seconds East, 106.71 feet to the beginning point of the tract of land herein described; thence continuing with said centerline the following: North 63 degrees 36 minutes 45 seconds East, 138.35 feet; North 58 degrees 36 minutes 09 seconds East, 154.76 feet to its intersection with the centerline of the creek; thence North 36 degrees 11 minutes 23 seconds West, departing the centerline of said county road, along the centerline of the creek 487.82 feet; thence South 74 degrees 21 minutes 09 seconds West, departing the centerline of the creek, 224.47 feet to an iron rod; thence South 27 degrees 34 minutes 12 seconds

East, 536.16 feet to the beginning point. All as shown on a survey and plat by William J. Shay Jr., Lincoln County Surveyor, in Survey Record Book E1 page 52 of the Lincoln County Records.

Parcel No: 13-20-09-000-000-020.007.

So Ordered, this 24th day of June, 2014.


HONORABLE JOHN A. ROSS

United States District Judge